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FAX INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Ernest G. Therkorn, Art Unit 1723	Client:	1372.204.PRCWOUS
Fax:	(571) 273-8300	Pages:	4 including coversheet
Phone:	(571)-272-1149	Date:	January 24, 2006
Re:	USSN: 10/716, 310	CC:	University of South Florida (Assignee)

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Therkom:

In response to the Office communication concerning this application or proceeding, mailed January 20, 2006, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 24, 2006 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Thomas E. Toner
 Reg. No. 57, 422

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JAN 24 2006

Practitioner's Docket No. 1372.204.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Abdul Malik**)
 Serial No.: **10/716,310**)
 Filed: **11/18/2003**)
 For: **Sol-Gel Dendron Separation and**
Extraction Capillary Column)

Faxed to Central Fax at (571) 273-8300
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

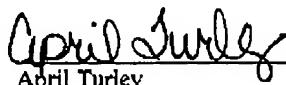

SIGNATURE OF PRACTITIONER
 Thomas E. Toner
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 15950 Bay Vista Drive, Ste. 220
 Clearwater, FL 33760
 (727) 507-8558

Reg. No.: 57,422
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1723, Attn: Ernest G. Therkorn, (571) 273-8300 on January 24, 2006.

Dated: January 24, 2006


 April Turley

(Restriction Requirement – Transmittal)

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JAN 24 2006

Practitioner's Docket No.: 1372.204.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Abdul Malik**)
Serial No.: **10/716,310**) Art Unit: **1723**
Filed: **11/18/2003**) Examiner: **Ernest G. Therkorn**
For: **Sol-Gel Dendron Separation and**) Confirmation **7300**
Extraction Capillary Column)
:

Faxed to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

Applicant responds to the nonfinal Examiner's action mailed January 20, 2006, having a shortened statutory period for response set to expire February 20, 2006 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant previously elected to prosecute Group I claims 1-10, 18-25 and 28-29, drawn to a capillary column. The election of Group I was made without traverse. Applicant thanks the office for bringing the deficiency of the prior election as well as the Office's recognition that Applicant's previous response was *bona fide*.

Applicant hereby elects the species comprising the sol-gel precursor Z. Applicant presents claims 1, 6-10, 18-19, and 24-29 as reading on the elected species.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

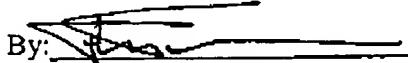
(Restriction Requirement Reply - Page 1 of 2)

SMITH & HOPEN

By:

Dated: January 24, 2006

pc: University of South Florida (Assignee)


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(727) 507-8558
Attorneys for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1723, Attn: Ernest G. Therkorn, (571) 273-8300 on January 24, 2006.

Dated: January 24, 2006


April Turley

(Restriction Requirement Reply - Page 2 of 2)